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1. Applicants' arguments are persuasive; therefore, claims 1-9 are examined on the merits and claim 10 is withdrawn with traverse.

2. This application is in condition for allowance except for the presence of claim 10 is directed to an invention non-elected with traverse in the reply filed on 3/5/10. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

3. Claims 1-9 are allowed.

The prior art of record fails to suggest or disclose: With regard to claim 1, a lens exchange type image pickup apparatus having an image processing apparatus of displaying an image of an object picked up by an image sensor and a scale indicative of a reference length in juxtaposition on an image

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screen of a display, in which an actual magnification calculation means for calculating an actual magnification on the screen of a display based on the optical magnification, the size for the image sensor, and the size of the image screen, and scale setting means for setting a scale based on the calculated actual magnification and the reference length of the scale to be displayed.

With regard to claim 7, an image pickup apparatus having an image processing apparatus intended for displaying an image of an object picked up by an image sensor through a magnification controllable image pickup lens and a scale indicative of a reference length in juxtaposition on a display of a predetermined screen size, in which a nominal magnification corresponding to the detection position of the position sensor based on the predetermined position-magnification conversion table, and the image processing apparatus has a scale setter for setting the scale based on an actual magnification and a reference length of the scale to be indicated.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shimbo et al (US 5,671,010) discloses a camera system that includes a measuring scale on a display.

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Aoki (US 2005/0157199) discloses an video camera that comprises an interchangeable lens.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan Ho whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan V Ho/

Primary Examiner, Art Unit 2622